United Nations S/PV.5565

Security Council

Sixty-first year

Provisional

5565th meeting

Saturday, 11 November 2006, 12 noon

New York

President:	Mr. Voto-Bernales	(Peru)
Members:	Argentina	Mr. Mayoral
	China	Mr. Liu Zhenmin
	Congo	Mr. Ikouebe
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Ghana	Mr. Christian
	Greece	Mrs. Telalian
	Japan	Mr. Shinyo
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Churkin
	Slovakia	Mr. Matulay
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Bolton

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 6 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the Security Council (S/2006/868)

Letter dated 7 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the President of the Security Council (S/2006/869)

Letter dated 8 November 2006 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council (S/2006/871)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

06-61238 (E)

The meeting was called to order at 12.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 6 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the Security Council (S/2006/868)

Letter dated 7 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the President of the Security Council (S/2006/869)

Letter dated 8 November 2006 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council (S/2006/871)

The President (*spoke in Spanish*): Pursuant to the decisions taken at the 5564th meeting, I invite the Permanent Observer of Palestine to take a seat at the Council table.

At the invitation of the President, Mr. Mansour (Palestine) took a seat at the Council table.

The President (*spoke in Spanish*): The Security Council will continue its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2006/878, which contains the text of a draft resolution submitted by Qatar.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

I shall first call on those members that wish to make statements before the voting.

Mr. Bolton (United States of America): The draft resolution does not display an even-handed characterization of the recent events in Gaza, nor does it advance the cause of Israeli-Palestinian peace to which we aspire and for which we are working assiduously.

We join our fellow Council members in deeply regretting the injuries and loss of life on 8 November in and around Beit Hanoun. We note that the Israeli Government is conducting an investigation and has announced its intent to suspend all artillery fire into Gaza as a result. We hope that the investigation will be completed quickly and that appropriate steps will be taken to avoid a repetition of the tragedy.

First, we are disturbed at the language of the draft resolution that is, in many places, biased against Israel and politically motivated. Such language does not further the cause of peace, and its unacceptability to the United States in previous resolutions is well known.

Secondly, the draft resolution remains an unbalanced text. Among many such examples are the following. The preambular text equates Israeli military operations, which are legal, with the firing of rockets aimed at civilians into Israel, which is an act of terrorism. Moreover, its characterization of Israeli military actions as excessive and disproportionate constitutes a legal judgement that the Security Council would be ill-advised to make.

Thirdly, the proposed draft resolution calls for the establishment of a fact-finding mission, which is unnecessary and will do nothing to improve the situation on the ground. The draft resolution further promises to consider the establishment of an international mechanism for the protection of civilian populations — a promise which is unwise and unnecessary and, at any rate, raises false hopes.

At the same time, we are disturbed that there is neither a single reference to terrorism in the proposed draft resolution, nor any condemnation of the Hamas leadership's statement that Palestinians should resume terror attacks on a broad scale or of calls by the military wing of Hamas to Muslims worldwide to strike American targets and interests. More terror, whether directed at Israel, the United States or others, is not the solution, nor will it enable the Palestinian people to achieve their aspirations.

It is the responsibility of any Palestinian Authority Government to prevent terror and to take the

necessary steps to stop attacks and dismantle the terrorist infrastructure. Hamas has failed utterly in that regard by continuing to play a role in perpetuating instability and violence. The Palestinian people deserve leaders who are prepared to renounce terror, accept the Quartet principles, and become a legitimate partner in peace.

The United States remains committed to supporting a negotiated solution between Israelis and Palestinians. The road map and the principles contained therein remain the only agreed international basis upon which to move forward towards the two-State goal. We call upon all members of the international community to support the road map unequivocally. To that end, the United States will vote against the draft resolution.

The President (*spoke in Spanish*): We shall now proceed to the voting.

A vote was taken by show of hands.

In favour:

Argentina, China, Congo, France, Ghana, Greece, Peru, Qatar, Russian Federation, United Republic of Tanzania.

Against:

United States of America.

Abstaining:

Denmark, Japan, Slovakia, United Kingdom of Great Britain and Northern Ireland.

The President (*spoke in Spanish*): The draft resolution received 10 votes in favour, 1 against and 4 abstentions. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Council.

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Ms. Pierce (United Kingdom): The United Kingdom continues to be extremely concerned about the escalating crisis in Gaza and the toll it is taking on civilians. We are particularly disturbed about the consequences of Israeli military action, which tragically resulted in a large number of civilian Palestinian deaths in Beit Hanoun on 8 November. As the British Foreign Secretary said that day, it is hard to see what that action was meant to achieve and how it can be achieved. Once again, we extend our condolences to the families of those killed and injured.

We call on Israel to respect its obligation to avoid harming civilians. We call on Syria to use its influence constructively on Syrian-based Hamas leaders. And we call on the Palestinian leadership to bring an end to violence and to terrorist activities, including the firing of rockets into Israeli territory.

In this context, we welcome the recent call by President Abbas for an end to Qassam rocket fire. Reciprocal violence is in the interest of neither Israelis nor Palestinians and serves only to undermine the prospects for peace in the region.

What we have seen over the past few sad days further underlines the necessity of finding a comprehensive political solution to the current situation in Israel and the occupied territories. We continue to believe that the Road Map offers the best chance for a lasting peace. That should be one of our highest priorities.

As I said yesterday, it is absolutely right that the Security Council should meet on this important issue. The United Kingdom remains firmly of the view, however, that any statement from the Council must be balanced and must serve the interest of both parties, and that interest is peace.

We regret that negotiations did not lead to a text that the United Kingdom could support. We greatly appreciate the efforts of the sponsors to meet some of our concerns. But, in the end, we were not able to conclude that the draft resolution was sufficiently balanced, or that it reflected the complexity of the current situation. For this reason, the United Kingdom abstained from voting on the proposed text.

Ms. Løj (Denmark): Regrettably, Denmark was not in a position to support the draft resolution (S/2006/878) just considered. The draft resolution addresses issues of great concern to my Government. If it had included a more thorough recognition of the complexities on the ground, my delegation would have liked to vote in favour of the draft resolution.

Denmark remains very concerned about the latest developments on the ground. We were shocked to learn about the tragic event in Beit Hanoun that led to the death of 19 civilians, many of them children. We deplore the fact that the recent Israeli military

operations in Gaza have taken a heavy toll in civilian lives.

We have welcomed the Israeli recognition that the attack on Beit Hanoun on 8 November was a mistake and have urged the Israeli authorities to complete the announced inquiry promptly and to make the results public. The reality is that only an end to violence can pave the way for progress towards lasting peace. Rocket attacks from Palestinian territory into Israel must be condemned and must stop. At the same time, Israel must ensure that short-term measures aimed at improving the security situation of Israeli civilians are carried out in accordance with international law and do not hamper the achievement of a lasting solution to the conflict. In this regard, we have continuously stated that the exercise of a State's right to self-defence must be proportionate.

Mr. Shinyo (Japan): The Government of Japan deeply deplores the situation in Gaza, in which many Palestinian civilians have become victims during the recent Israeli military operations. We especially deplore the fact that more civilian lives were claimed on 8 November, in the shelling by the Israel Defense Forces of private houses in Beit Hanoun.

It is necessary for all parties concerned to exercise maximum restraint in order to avoid further aggravation of the situation. Japan strongly calls upon the Government of Israel, in particular, to avoid any action that may lead to further civilian casualties. We urge the Government of the Palestinian Authority to take appropriate measures to bring an immediate end to the violence by Palestinian extremist groups, including rocket attacks against Israel.

The deteriorating humanitarian situation among Palestinians is a matter of deep concern to our Government. Japan reiterates the importance for the international community of continuing to provide necessary assistance in order to address this situation. For our part, we have been steadily implementing our pledge of $25 million in humanitarian assistance to the Palestinian people, announced at the time of the visit of former Prime Minister Koizumi to Palestine in July. Japan will continue to cooperate with the international community in working to achieve the mitigation of tensions and the restoration of stability in the region.

It is necessary that any statement from the Council be balanced and that it carefully reflect the relevant aspects of the situation. The Government of Japan shares with the other Council members the view that the Council should act in unity and with all due haste to take appropriate action in the light of the tragic event in Beit Hanoun, which we consider unjustifiable.

Based on this recognition, Japan participated constructively in the discussions on the draft resolution proposed by the representative of Qatar. We highly appreciate the flexibility shown by our colleagues from Qatar, who endeavoured to reflect in the draft resolutions some of our concerns raised in the process of discussions. However, the Government of Japan believes that the text before us (S/2006/878) is not yet sufficiently balanced and that further discussion is needed. It is regrettable that the differences of opinion on a few points have not been successfully bridged. We therefore abstained in the voting.

Mr. Matulay (Slovakia): My delegation decided to abstain in the vote on the draft resolution on the situation in the Middle East (S/2006/878) as it stands before the Security Council today.

Slovakia has expressed its deep concern at the increased violence that has recently been taking place in Gaza, and especially at the Israeli military operations that have resulted in the death or injury of dozens of Palestinian civilians, including children and women, in Beit Hanoun. We express our deepest condolences to the Palestinian people and to the bereaved families. We strongly deplore any action that causes such appalling civilian casualties and call on Israel to undertake serious efforts to investigate this tragic event.

We believe that all the initiatives of the Security Council in the wider area of the Middle East are very important and have a direct impact on the situation and on future developments. In that sense, any action taken by the Security Council should be considered very carefully, with the aim of making a balanced appeal to all parties and of achieving a just and lasting peace.

In the process of drafting this draft resolution, many comments and suggestions to improve and balance the text were made by all Council members. The text as it stands before us reflects most of the views expressed during the deliberations. However, as we said earlier, during the expert consultations, we had wished for the inclusion of additional relevant adjustments and modifications that would have reflected all the complexities of the ongoing Israeli-Palestinian dispute in a more accurate way. After

careful consideration, we regretfully decided to abstain in the vote on the draft text as it was submitted to the Security Council.

Mr. Ikouebe (Congo) (*spoke in French*): I waited to hear the outcome before asking to speak, because my delegation is not accustomed to explain its vote here, particularly when it is a positive vote. But after what has just taken place, I cannot fail to convey to the Council how troubled my delegation is and to express my deep disappointment.

If this is the response of this Council to the crimes that have just been committed, then it clearly constitutes an insult to the memory of the victims. If we are not able to make a clear statement on such a serious situation — which is repeated regularly and with complete impunity — it will subsequently be very difficult to try to include delegations like my own in decision-making here, which is often contentious and unilateral, on issues that are sometimes less worrying and less urgent for the international community.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): It is well known that, owing to its sense of responsibility with respect to the Palestinian cause, Qatar submitted a balanced draft resolution (S/2006/878) reflecting the views of the majority of Security Council members. In the draft resolution we took account of comments from all States, but the Security Council was nonetheless unable to adopt that balanced text, for reasons with which we are all familiar. We will leave it to peace-loving peoples and States to assess the objectivity that this reflects.

On many occasions we have done nothing to protect Palestinian civilians, who desperately need assistance and support from the international community. A halfhearted response from the Security Council gives the impression that we are shirking our humanitarian responsibility to protect lives, in particular the lives of innocent children and women and of others who are vulnerable. The image of innocent unarmed civilians killed mercilessly at Beit Hanoun will remain etched in our memories and in the memories of all peace-loving peoples.

We must put an end to these massive and flagrant violations of humanitarian law. The Security Council's failure today to do its duty with respect to the deteriorating situation in the occupied Palestinian territories by putting an end to Israeli aggression will lead to the continuation of Israel's aggre ion and of the cycle of violence. The Council's inability to intervene and put an end to the already grave situation in the occupied Palestinian territories will not only result in an escalation of this long-standing conflict but will call into question the credibility of the Security Council with regard to the implementation of the provisions of international law.

Peace-loving, innocent people and victims of war continue to hope that the Security Council will shoulder its responsibility for the maintenance of international peace and security. Will the day come when the Security Council and the countries concerned take a firm stand in the face of aggression and oppression against the Palestinian people?

I wish in conclusion to thank all the Council members that voted in favour of the draft resolution.

The President (*spoke in Spanish*): I now give the floor to the Permanent Observer of Palestine.

Mr. Mansour (Palestine): I want at the outset to thank those who voted in favour of this balanced draft resolution (S/2006/878). We thank Qatar, the Arab Group, the Organization of the Islamic Conference and the Non-Aligned Movement, which unanimously asked for the convening of a Security Council meeting and sponsored the draft resolution. We are disappointed that the draft resolution was not adopted. Palestine has been disappointed again.

The Security Council today has conveyed two wrong messages. It has conveyed to Israel that it can continue to behave as though it were above international law. It has conveyed to the Palestinian people that, with regard to their issue, the Security Council is not dealing with justice in the proper way.

But our people, in spite of this disappointment, will never lose hope. Justice will prevail. Occupation will eventually come to an end. This aggression, which has been continuing in Gaza for the past five months, has not broken the will of our people and will never do so. Only through negotiations — not massacres and aggression — will we be able to move forward to find a just solution to this conflict.

As our nation commemorates today the second anniversary of the death of our historic leader, Yasser Arafat, we are committed more than ever to accomplishing our national objectives. Our President, Mahmoud Abbas, stated today in Ramallah, at the second-anniversary commemoration of the death of

President Arafat, that we are committed to the two-State solution. One has been in existence since 1948; ours needs to be established in all the area occupied by Israel in June 1967, including East Jerusalem, with a just solution to the Palestinian refugee issue, based on General Assembly resolution 194 (III).

We will never lose faith in the great principles enshrined in the Charter of the United Nations. Our belief in the United Nations, including the Security Council, will never weaken. We will continue to come to the Council and other bodies of the United Nations system until justice prevails.

The President (*spoke in Spanish*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.